

REQUIRES MONITORING
OR STAFF ACTION _____

COMMISSION DIRECTIVE

ADMINISTRATIVE DEPT. ☐

DATE October 27, 2004

TRANSPORTATION DEPT. ☐

DOCKET NO. 2003-158-C

UTILITIES DEPT. ☒

ORDER NO. 2005-5

SUBJECT:

DOCKET NO. 2003-158-C – FTC Communications, Inc. dba FTC Wireless – Petition for designation as an Eligible Telecommunications Carrier pursuant to Section 214 (e)(2) of the Communications Act of 1934, as amended. Hearing held: September 15, 2004. Proposed Orders have been received.

COMMISSION ACTION:

See Attached Motion

PRESIDING Mitchell

	MOTION	YES	NO	OTHER
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MOSELEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

APPROVED ☐

APPROVED STC 30 ☐

DAYS

ACCEPTED FOR FILING ☐

DENIED ☐

AMENDED ☐

TRANSFERRED ☐

SUSPENDED ☐

CANCELED ☐

SET FOR HEARING ☐

ADVISED ☐

CARRIED OVER ☐

RECORDED BY DKP

Session: Regular

Time of Session 10:30 AM

Item 3

Docket No. 2003-158-C

Application of FTC Communications, Inc., d/b/a FTC Wireless for Designation as an Eligible Telecommunications Carrier (ETC) in the State of South Carolina

First, with respect to the motion to Take Notice of Supplemental Response to Staff Data Request filed by FTC and the Return Motion on behalf of the South Carolina Telephone Coalition: Staff did not enter this material into the record and FTC in spite having ample opportunity, did not enter this material into the record during the hearing. This material was not timely filed and we must rule only on items in the record, therefore I move that we dismiss FTC's motion and grant the SCTC's Return Motion.

As for FTC's application for ETC status in South Carolina:

1. There are serious concerns about the fate of the federal universal service fund at this time. This is one of the many items likely to be taken up by the FCC and the Congress in coming days. It would be bad policy to grant additional ETC status in this time of uncertainty.
2. It has not been shown that granting ETC status to FTC Communications in an area already well served by wireline and multiple wireless carriers would advance the goals of Universal Service. Other wireless carriers would be placed at a competitive disadvantage compared to FTC.
3. The FCC has clearly stated that simply adding competition is not sufficient reason to grant ETC status. There is also a requirement that granting additional ETC status is in the Public Interest, Convenience and Necessity. Simply making an affirmative statement to that effect is not proof that of meeting the public interest requirement. FTC Communications has not provided sufficient evidence that granting their application is in the public interest.

Therefore, I move that we deny FTC Communications' Application for Designation as an Eligible Telecommunications Carrier in South Carolina.